

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings. No new matter is added.

Claims 1-8 were previously pending in the application. New claim 9 is added. Therefore, claims 1-9 are presented for consideration.

Applicant notes with appreciation the indication that claims 6 and 7 are allowable.

Claims 1-7 were rejected under 35 USC 112, second paragraph as being indefinite.

Claim 1 is amended in a manner that is believed to address the 35 USC 112, second paragraph rejection including clarifying the recited elements and providing proper antecedent basis for each of the recited elements.

In addition, claim 5 is amended to clarify that the recited means for turning the pivot is different than the means for associating the pivot to turn. Compare, for example, the claim Nos. 15 and 30, used to indicate these two different elements in the original claims.

In view of the above, it is believed that the 35 USC 112, second paragraph rejection is addressed and withdrawal of the same is respectfully requested.

Claim 1, 5 and 8 were rejected under 35 USC 102(e) as being anticipated by BOLGER et al. 6,770,096. That rejection is respectfully traversed.

Claim 1 recites that the diameters of the second rotary shaft and of the open second bearing are greater than the minimum diameter of the cross-section of the hole.

By way of example, the diameter of the second rotary shaft 20 as seen in Figure 1 and of the second bearing 21 are greater than the minimum diameter of the cross-section of the hole 10.

By contrast, any hole in BOLGER, (element 4 being the only element designating a hole) has a diameter or cross-section greater than the rotary shaft. Although no rotary shaft is referenced, it appears that actuating means 2 includes rotary shaft.

As the reference does not disclose that which is recited, the anticipation rejection as to claim 1 is not viable. Claim 5 depends from claim 1 and further defines the invention and is believed to be patentable at least for depending from an allowable independent claim.

Independent claim 8 recites a hollow first bearing with a first rotary shaft mounted with rotary indexing means in the hollow first bearing.

By way of example, Figure 3 of the present application shows a hollow first bearing 17 with rotary shaft 18 mounted with rotary indexing means in the hollow first bearing.

The Official Action has not indicated an element that is intended to read on the hollow first bearing. However, even if one of ordinary skill in the art were to equate hollow 2 as being a hollow first bearing, BOLGER fails to disclose a first rotary shaft mounted with rotary indexing means in the hollow first bearing as recited.

Accordingly, claim 8 is also believed to be patentable over BOLGER.

Claims 2-4 were rejected under 35 USC 103(a) as being unpatentable over BOLGER in view of FERREE U.S. Publication No. 2005/0261773. That rejection is respectfully traversed.

FERREE is only cited with respect to features of dependent claims 2-4. FERREE does not overcome the shortcomings of BOLGER set forth above with respect to claim 1. Since claims 2-4 depend from claim 1 and further define the invention, these claims are believed to be patentable at least for depending from an allowable independent claim.

New claim 9 is added. Claim 9 includes features similar to claim 1 and the analysis above regarding claim 1 is equally applicable to claim 9.

In view of the present amendment and the foregoing Remarks, it is believed that the present application has been

placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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